

Wyoming. The planning review was conducted because an application to lease Federal coal in the Carbon Basin area had been submitted and Federal coal planning decisions were not made for the area during development of the Great Divide Resource Management Plan (RMP). The proposed decision would open to further consideration for coal leasing and development 11,928.36 acres of Federal coal lands containing approximately 313 million tons of Federal coal in the Carbon Basin. Upon adoption of the proposed decisions, 11,808.36 acres of these Federal coal lands would be open to consideration for mining by surface and subsurface methods. The remaining 120 acres of Federal coal lands are adjacent to and include the Town of Carbon Cemetery. In order to preserve the historic setting of the cemetery, it was determined that this 120 acres located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , Section 26, T. 22 N., R. 80 W., would be acceptable for coal mining using subsurface mining methods only and with a no-surface-occupancy requirement.

**DATES:** A 30-day protest period for the proposed planning decisions will begin the day following publication of this notice.

**ADDRESSES:** Protests should be addressed in writing to the Director (210), Bureau of Land Management, Attention: Brenda Williams, 1849 C Street NW, Washington, D.C. 20240.

**FOR FURTHER INFORMATION CONTACT:** Interested parties may direct questions and concerns to, or obtain further information from, Karla Swanson, Great Divide Resource Area Manager; Brenda Vosika Neuman, Project Leader; or John Spehar, Planning and Environmental Coordinator, at the Bureau of Land Management Office, 1300 N. Third Street, Rawlins, Wyoming 82301, or by telephone at 307-328-4200.

**SUPPLEMENTARY INFORMATION:** Ark Land Company, St. Louis, Missouri, filed an application with the Bureau of Land Management (BLM) to obtain a coal lease on approximately 4,145 acres of Federal coal lands located in the Carbon Basin area. Ark Land Company, through its affiliate, Arch of Wyoming, Inc., (Arch) has conducted coal mining operations in the Hanna Basin Region of Carbon County since 1972. The depletion of recoverable coal reserves in the Hanna Basin has led Arch to identify additional (local) coal resources in the Carbon Basin area that could utilize the existing infrastructure and meet existing contracts or long-term commitments. The Carbon Basin area is in close proximity to the Hanna Basin coal fields and provides a logical

continuation of the Hanna Basin mining operations.

In 1982, a Federal coal lease was issued for approximately 60 percent of the Federal coal lands located in the Carbon Basin. Because this lease was still in effect at the time the current BLM land use plan (the Great Divide Resource Management Plan (RMP-1990)) covering the Carbon Basin area was prepared, it was exempt from the coal screening/planning requirements. Development of this lease was never pursued and the lease expired in 1992. Also, at the time the Great Divide RMP was prepared, there was no other interest expressed by industry in obtaining Federal coal leases in the area. As a result of these two factors, the coal screening/planning process was not conducted on the area and there were no coal planning decisions for any of the Federal coal lands in the Carbon Basin area included in the Great Divide RMP.

The Federal Coal Leasing Amendments Act of 1976 requires that Federal coal lands must first be identified in a comprehensive land use plan before they can be considered for leasing. Thus, any applications to lease coal in the Carbon Basin, could not be given consideration until a planning review was conducted on the Federal coal lands and a determination made that some or all of the lands are open to consideration for coal leasing and development. Because no coal planning decisions were made for the Carbon Basin coal area in the Great Divide RMP, a planning review was conducted on the area. The planning review involved conducting the coal screening/planning process (including application of the coal unsuitability criteria) and an environmental analysis documented in an environmental assessment (EA).

As provided in 43 Code of Federal Regulations, Part 1610.5-2, any person who participated in the planning review process and has an interest which is or may be adversely affected by the approval or amendment of a resource management plan may protest such approval or amendment. A protest may concern only those issues which were raised and submitted for the record during the planning review process and by only the party(ies) who raised the issue(s). All parts of the proposed decision may be protested. Protests must be in writing and must be postmarked within 30 days following the date the notice of availability (NOA) of this decision record is published in the **Federal Register**. Protests must include (a) the name, mailing address, telephone number, and interest of the person filing the protest; (b) a statement

of the issue or issues submitted during the planning process by the protesting party; (c) a statement of the part, or parts, of the proposed decision being protested; (d) a copy of all documents addressing the issue or issues that were submitted during the planning review process by the protesting party or an indication of the date the issue or issues were discussed for the record; and (e) a concise statement explaining why the State Director's proposed decision is believed to be wrong.

If no protests are received the proposed decision will become final at the end of the 30-day protest period. If protests are received, the decision will not become final until the protests are resolved.

Dated: March 24, 1998.

**Alan R. Pierson,**

*State Director.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[MT-922-08-1310-00-241A-P; NDM 81533]

#### Notice of Proposed Reinstatement of Terminated Oil and Gas Lease

Under the provisions of Pub. L. 97-451, a petition for reinstatement of oil and gas lease NDM 81533, McKenzie County, North Dakota, was timely filed and accompanied by the required rental accruing from the date of termination.

No valid lease has been issued affecting the lands. The lessee has agreed to new lease terms for rentals and royalties at rates of \$10 per acre and 16 $\frac{2}{3}$  percent respectively. Payment of a \$500 administration fee has been made.

Having met all the requirements for reinstatement of the lease as contained in Sec. 31 (d) and (e) of the Mineral Lands Leasing Act of 1920 (30 U.S.C. 188), the Bureau of Land Management is proposing to reinstate the lease, effective as of the date of termination, subject to the original terms and conditions of the lease, the increased rental and royalty rates cited above, and reimbursement for cost of publication of this Notice.

Dated: March 16, 1998.

**Karen L. Johnson, Chief,**

*Fluids Adjudication Section.*

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